

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

HAYWARD INDUSTRIES, INC.,

Plaintiff

v.

BLUEWORKS CORPORATION,
BLUEWORKS INNOVATION
CORPORATION, NINGBO C.F.
ELECTRONIC TECH CO., LTD; NINGBO
YISHANG IMPORT AND EXPORT CO., LTD.

Defendants.

Civil Action No. 3:20-CV-710 -MOC-SCR

**BLUEWORKS CORPORATION’S MOTION FOR EXPEDITED BRIEFING
SCHEDULE ON *EMERGENCY* MOTION FOR CLARIFICATION OF CONTEMPT
ORDER [DE 588] ENTERED MARCH 19, 2025**

Blueworks Corporation (the “Debtor”) hereby respectfully moves the Court for an expedited briefing in connection with the concurrently filed Emergency Joint Motion for Clarification of Contempt Order [DE 588] Entered March 19, 2025 (the “Motion to Clarify”). The Limited Powers Chapter 11 Trustee supports the relief requested by the Debtor.

In support of this motion, in addition to the Debtor’s memorandum filed simultaneously herewith, the Debtor shows the Court as follows:

1. The relief sought in the Motion to Clarify is essential to the Debtor’s ongoing operations and ability to continue to prosecute its bankruptcy case in the Bankruptcy Court for the Western District of North Carolina (the “Bankruptcy Court”), which recognized the same in its order denying emergency, temporary relief to the Debtor and prompting the Debtor to move before this Court.

2. Specifically, the Bankruptcy Court stated: “To the extent the Debtor files a motion seeking clarification of the Contempt Order, this court respectfully urges the District Court to consider such motion as soon as reasonably possible in light of the apparent impact the Contempt Order has on the Debtor’s ability to continue doing business.” *Order Denying Debtor’s Emergency Interim Motion to Enforce the Automatic Stay* [Docket No. 309].¹

3. As described further in the Motion to Clarify, following the entry of the Contempt Order dated March 19, 2025 (the “Contempt Order”), Hayward Industries, Inc. (“Hayward”) contacted Amazon.com Services, LLC (“Amazon”), and delivered a copy of the Contempt Order thereto, causing Amazon to de-list the Debtor’s products in late March.

4. As the Debtor exclusively sells its products through Amazon, the Debtor’s operations have ceased since March 29, 2025. In effect, the removal of the Debtor’s listings extinguishes the Debtor’s chances for a successful reorganization. Due to the drastic impact to the Debtor’s operations and resulting impact on the Debtor’s Chapter 11 Bankruptcy Case, the Debtor first went to the Bankruptcy Court for temporary relief, which was denied.

5. In light of the present situation, the Debtor believes that an expedited briefing schedule is necessary to obtain the Court’s guidance as soon as possible and prevent further irreparable harm to the Debtor and its reorganization efforts.

6. The Debtor proposes the following briefing schedule to make this motion and the Motion to Clarify ripe for the Court’s ruling as soon as practicable:

¹ This document may be found on the docket of *In re Blueworks Corporation*, Bankruptcy Court for the Western District of North Carolina, Case No. 24-30494.

- **Friday, May 25, 2025**—Deadline for Hayward to respond to Debtor’s instant motion for an expedited briefing schedule (The Debtor will forego an opportunity to reply to Hayward’s response);
- **Tuesday, April 29, 2025**—Deadline for Hayward to respond to the Motion to Clarify;
- **Wednesday, April 30, 2025**—Deadline for the Debtor to respond to Hayward’s opposition to the Motion to Clarify.

7. For the reasons stated above, the Debtor respectfully requests the Court grant this motion for an expedited briefing schedule in connection with the concurrently filed Motion to Clarify.

8. The Debtor conferred with counsel for Hayward, who objected to the relief sought.

This the 23rd day of April, 2025.

RAYBURN COOPER & DURHAM, P.A.

By: /s/ Matthew L. Tomsic
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CERTIFICATE OF SERVICE

The undersigned certifies that on this day **BLUEWORKS CORPORATION'S MOTION FOR EXPEDITED BRIEFING SCHEDULE ON EMERGENCY MOTION FOR CLARIFICATION OF CONTEMPT ORDER [DE 588] ENTERED MARCH 19, 2025** was electronically filed via the District Court's CM/ECF system, which will send notification of such filing to all counsel of record.

This the 23rd day of April, 2025.

By: /s/ Matthew L. Tomsic
Matthew L. Tomsic